

Exhibit 1

Regular Town Board Meeting of the Milan Town Board held on 08/08/05 at 7:00 PM at the Milan Town Hall.

Present: Supervisor John V. Talmage
Councilperson Russell Balletto, George Campbell, Pauline Clark &
Alfred Lo Brutto
Attorney Linda Murray

The Supervisor opened the meeting with the pledge of allegiance.

The Supervisor announced his candidacy for office and the candidates for the Democratic Party.

PUBLIC COMMENT:

Scott Jones, Milan resident submitted to the town board a petition opposing the creation of the proposed priority growth area and the creation of the planned proposed development in Lafayetteville. He stated that there were 139 signatures and a true representation of the people in Lafayetteville. He said that he would like the board to consider the cost of engineering of ten-acre building lots.

Jeff Galm, Milan Fire Chief explained to the board what a dry hydrant was. The Supervisor said that the board would take this up later in the meeting.

Rocky Mancini, Milan resident submitted to the town board a petition opposing the zoning changes in Rock City. He said that he was told that the people that came to the informal meetings to voice their opinions did not count so he wanted to submit these signatures.

Jackie Reynolds, Recreation Chairperson informed the board that Community Day would be October 1, 2005. She told the board what they had planned for the day and if anyone was interested in helping to let her know.

Stanley Zatwarnicki, Milan resident spoke about the veterans' monument and the town flag.

Council. Clark read a letter regarding a comment that was made about her regarding the pledge to the flag.

MINUTES – Regular Board Meeting of 07/11/05 – MOTION by Council. Clark seconded by Council. Balletto to accept the minutes as written. Roll was taken. Supervisor Talmage – Abstain. Motion CARRIED.

CORRESPONDENCE:

1. Letter dated 08/01/05 from Council. Clark regarding the re-routing of traffic on Spring Lake Road.

The Clerk informed the board that she had a request from a Red Hook student to have their class picture taken in front of the "fork in the road" in Rock City. The consensus of the board was they should contact the sheriff's department.

The Supervisor had correspondence from Real Property stating that the town is still at 100% equalization rate and the total assessment for the town has gone up 14% for next year.

The Supervisor also received a letter from the Red Hook School stating that they are forming a space needs committee. If anyone is interested they can join. He also received a letter from the Pine Plains School district where they are beginning to monitor through their comprehensive plan the projective growth rates based on what is happening in Pine Plains.

Monthly Financial Report of the Supervisor – the Supervisor read the summary page out loud.

Council. Campbell had questions regarding the interest. He said that each one had a different interest rate.

The Supervisor said that the alfa rhythm that was used to apply interest takes the balance in the funds at the start of the month and at the end of the month uses that ratio to determine the various interests. The Supervisor said that if the board wants to change this method they could.

Council. Campbell also had escrow questions and the paying of the vouchers in a timely manner.

Council. Lo Brutto talked about the process of handling the escrow vouchers.

Comprehensive Plan Resolution to Dutchess County Planning Board –
Resolution offered by Supervisor Talmage seconded by Council.
Clark Per attached. Discussion

Council. Campbell wanted to review this a little more in light of the petitions they had received tonight. The two informational sessions that were held, the majority of the people were against proposed plans in Rock City and Lafayetteville.

Council. Campbell said that this board would be doing a disfavor to those people if we forward the plan in its present form.

Supervisor Talmage said what he took away from the public hearings was an over whelming response of the plan in general. His suggestion was to send the plan as presented to the county for review as the board is suppose to. He said that he is supportive of the board making any additional changes or comments but at this point he thought they should go forward with the plan as it has been proposed.

Council. Lo Brutto said that if the board send it down to the county for recommendation they are actually saying that this is the plan that this board accepts. Now, according to the law we do not have to send it down until just before we adopt it. Council. Lo Brutto felt it was not the right plan to send down. He felt that the people in Rock City and Lafayetteville had spoken clearly about the issue of the planned proposed development and he thought the Supervisor also agreed. Council. Lo Brutto read a letter that the Supervisor wrote concerning this issue.

Council. Clark stated that it is already zoned for one acre and high density. She said to have this plan was to protect what could happen in the future; that it does not become a one acre hodgepodge of individual huge.... “I think especially Rock City, which is already a very low-density acreage”

Supervisor Talmage stated that he did not want to over develop the hamlets. But he took the positions that they are already higher density and the important thing is that they are on Route 199. I do not want to push development on those hamlets but the plan gives us the tools that allow us to do the right job.

Council. Campbell stated that that is not the place to develop in Lafayetteville because you can't get a perk up there; its all shale and Rock City is all rock. He talked about the environmental impact on the stream in Rock City.

Council. Balletto said he thought that we should honor the desire of the people that have put their names on these petitions to say that they do not want what you put in

this plan. The same way that we have honored the people who want the ten-acre overlay. He thought that we are short -changing the residents of Lafayetteville and Rock City by not taking into consideration their opinions. Council. Balletto believed that the board is doing something here in a community, which is very much a rural community in the sense of being community of people who want to cooperate with each other. He continued to say that this plan was the future of the town and did not feel comfortable sending it down to the county. He said that there are certain points that are well taken in the plan and have been a big advocate of environmental concerns and protecting what we have in the town.

Council. Campbell questioned the Supervisor regarding the questions that were submitted to him by the board members. Council. Campbell wanted to know if the Supervisor thought they were far out. The Supervisor did not think so at the time. Council. Campbell said that he thought that the Supervisor was going to answer the questions. The Supervisor responded saying that he did not think that he was going to be the actual person that was going to answer the questions. He said that he had the help of the people that knew more about it. Council. Campbell said that answers were pretty insulting to some of the board members.

Council. Lo Brutto said that when we disbanded the committee, which you the Supervisor also voted for, that you wanted to move forward. Council. Lo Brutto then said that you wanted to know if the board had any questions on the plan. He said that he did give you the questions and expected the Supervisor to answer the questions. Council. Lo Brutto spoke about the personal attack on him at the last meeting and the show that the comprehensive board committee put on. He said that he was very disturbed about the answers that he received. Council. Lo Brutto asked the Supervisor not to ask for questions if he is not going to answer them.

The Supervisor responded saying that he believed that he was going to get you the answers and that is what he did. He said that he didn't think that he said that he was the person that was going to answer the questions.

Roll was taken:

Councilperson Balletto -	NO
Councilperson Campbell -	NO
Councilperson Clark -	YES
Councilperson Lo Brutto -	NO
Supervisor Talmage -	YES

All in Favor 2 3 Against MOTION Defeated

MOTION by Supervisor Talmage seconded by Council. Lo Brutto to hold a Special Meeting on 08/11/05 at 11 AM on the proposed possible changes to the Comprehensive Plan. Roll was taken. CARRIED unanimously.

PLANNING:

Lauren Kingman, Chairman of the Planning Board stated that there are a lot of problems with our subdivision regulations. He said that they are very poorly structured, very hard to read and hard to understand. Mr. Kingman would like to get it cleaned up and get an authorization of an expenditure of \$350 for Greenplan so he could work with them.

MOTION by Supervisor Talmage seconded by Council. Campbell per attached. Discussion.

Council. Campbell asked who would determine the changes. Mr. Kingman said anyone who has the knowledge of the subdivision. Council. Campbell wanted to know when he would start. Mr. Kingman said that he would start after the approval. Roll was taken. CARRIED unanimously.

Local Law # 3 2005 Agency – Convenience Store

MOTION by Supervisor Talmage seconded by Council. Campbell to declare the Town of Milan Lead agency. Roll was taken. CARRIED unanimously.

Local Law #3 2005

MOTION by Council. Campbell seconded by Council. Clark to declare a negative declaration. Roll was taken. CARRIED unanimously.

Local Law #3 of 2005

MOTION by Council. Campbell seconded by Council. Clark to adopt Local Law #3 Permitting the use of Convenience Store, Gas Sales and Car Was on the Same lot. Roll was taken. CARRIED unanimously.

Conservation Easement for Woodland Hills Major Subdivision

Resolution offered by Supervisor Talmage seconded by Council. Clark

Whereas, Carmen O. McCulloch, the owner of the Woodland Hills Subdivision, tax grid 6571-00-658185, had offered the Town of Milan a conservation easement on 17.75 acres of the Woodland Hills subdivision and,

Whereas, the area of the easement is designed to protect the mature woodlands, steep slopes, rock outcrops, and uncommon native plants and to provide a natural buffer for the adjacent historic Yeoman's Cemetery and,

Whereas, the Town of Milan Planning Board approved a resolution recommending the Milan Town Board accept a conservation easement for the Woodland Hills subdivision,

Now therefore be it resolved, that the Town Board authorizes the Planning Board to work with the applicant and owner to draft a conservation easement agreement, and

Be it further resolved, that the Town Board will decide on whether or not to accept the easement after reviewing the agreement and holding a public hearing as required by law and,

Be it further resolved, this resolution does not require the Town Board to accept the offered conservation agreement.

Roll was taken. CARRIED unanimously.

Elderkin Hardship

The Supervisor indicated that we might need to have a public hearing regarding this situation. He also stated that if the board needs additional information he would contact Mr. Elderkin. The Board could set the public hearing at the Special meeting on Thursday.

Dry Hydrants –

The Board discussed the issue of putting up dry hydrants for the fire department. Glenn Butler, Hwy. Superintendent stated that he had some concerns about this. He said that one concern was putting the hydrants on private property and the highway department is not allowed to work on private property and the other is the department cannot enter into contract with a private corporation.

Linda Murray stated that there was nothing in the contract that they have with the town that states that they would install these hydrants. So you have to renegotiate the contract.

Discussion continued.

MOTION by Supervisor Talmage seconded by Council. Lo Brutto to seek quotes to find a contractor to dig nine holes for the dry hydrants to be returnable on 08/12/05 at 7PM.

Roll was taken. CARRIED unanimously.

Mr. Sam Lore said that he would volunteer his services to dig the holes for the hydrants.

Jeff Galm said that he would come back to the board with an estimate on how much it would cost.

Escrow Matters and the Town Board Attorney

The board discussed the matter of escrow and whom it should be charged to. They discussed whom Linda Murray was working for, the applicant or the Town Board. They talked about a fixed fee schedule but could not have one for the conservation easement escrow because it would look like the town was making money on the process. The Supervisor said that anyone that comes before the Planning Board should know what the expenses should be.

MOTION by Supervisor Talmage seconded by Council. Clark that Linda Murray, the Town Board Attorney has submitted a bill to the board for approximately \$3,000 and of that amount \$2,000 will be paid out of town funds, attorney contractual line. This will be considered start up costs for conservation easement and the remaining portion of that voucher will be charged against the escrow which will come out of Mrs. Haggerty's money. Roll was taken. CARRIED unanimously.

MOTION by Supervisor Talmage seconded by Council. Campbell with the subsequent case of all the review of conservation easements will be considered part of escrow costs and we will direct and work with Lauren Kingman, Planning Board Chairman, to understand what the approximate cost will be. Roll was taken.

Councilperson Balletto -	YES
Councilperson Campbell -	YES
Councilperson Clark -	NO
Councilperson Lo Brutto -	YES
Supervisor Talmage -	YES

All in favor 4 1 Against MOTION CARRIED

MOTION by Supervisor Talmage seconded by Council. Campbell that the ODA charges that come from the Town Board Attorney related to given applicant will be charged back against the escrow. Roll was taken. CARRIED unanimously.

Linda Murray said that there might be a problem with Mrs. Haggerty. Supervisor said that we would talk to her off line along with Lauren Kingman.

Wooden Application Fee

MOTION by Council. Campbell seconded by Council. Lo Brutto to waive the variance fee for Richard Wooden. Roll was taken. CARRIED unanimously.

Control of Snow and Ice 2005-2006

Resolution offered by Supervisor Talmage seconded by Council. Clark (per attached).

MOTION by Council. Campbell seconded by Council. Clark to authorize the Highway Crew to take Defensive Driving Classes. Roll was taken. CARRIED unanimously.

MOTION by Council. Clark seconded by Council. Campbell to authorize the Supervisor to pay Dutchess Mechanical the money that it owed to them. Roll was taken. CARRIED unanimously.

Landscaping- MOTION by Supervisor Talmage seconded by Council. Clark to review what is needed around the town hall and take whatever preparation is needed to get ready for winter not to exceed \$1500. Roll was taken. CARRIED unanimously.

Veterans Monument-

MOTION by Council. Balletto seconded by Council. Clark to set the dedication of the veterans monument for Friday, November 11, 2005. Roll was taken. CARRIED unanimously.

School Taxes Issue-

The Supervisor said that he had four people who like to work on this issue. He said that they would like to produce a report to the board about what the issues and options are for the town.

TRANSFER-

MOTION by Supervisor Talmage seconded by Council. Clark to transfer \$12,000 from the Fire Protection Fund to the General Fund and to appropriate this amount for the account 9040 .8 Workman's Compensation and be it further resolved to alter the voucher dated 07/11/05, Wright Risk Management such that \$28,358.00 is expended from number 2040.8. Roll was taken. CARRIED unanimously.

Flex Plan-

The board discussed the procedures of the flex plan and the process. They talked about getting a quote from Bogush & Grady on how much it would cost for them to take over the job that we now have with Malleolo.

Council. Clark brought the paying of Gary Beck, the ZEO. She said that asked if he could be salaried for the rest of year. The Supervisor said that he would look into it.

PUBLIC COMMENT:

Judi Gelardi, Milan resident stated that since she has worked here she has not seen an employee handbook.

Council. Clark said that it is in the process and that the board has been given a draft. She also said that she has gotten changes from Linda Murray's attorneys' and when they have been incorporated into the book it will be done again. Council. Clark stated that it is an extreme amount of work.

J. Gelardi wanted to see who signed the petition that Rocky Mancini submitted to the Town Board because she also submitted names and she wanted to see if they were the same names. She said that most people that she spoke to in Rock City wanted a walking neighborhood.

Jack Grumet said that he would be unable to make the meeting on Thursday at 11 AM and wondered if the board could change it. The Board said that they would provide for Mr. Grumet the tape of that meeting if he wished to listen to it.

Herman Templeton wanted to know how the public would know about the meeting. The Supervisor said that they could put it on the web site and post it at the town hall.

Andy Yurista wanted to when the re-routing of the trucks would take place. Council. Clark said that it would take about two to three weeks to take affect. So it would probably be around September 1st. Discussion continued.

MOTION by Council. Balletto seconded by Council. Lo Brutto to authorize the Hwy. Superintendent to remove the bushes that are in site of the veterans monument. Roll was taken. CARRIED unanimously.

BILLS – Bills were presented to the Board for their audit and review. MOTION by Council. Campbell seconded by Council. Balletto to pay General Abstract # 8 with the exception of the bill for \$481.00 – Howard Clark, \$ 591.00 – F&M Printing and \$110.00 – Francis Christensen, and to pay Hwy. Abstract #8. Roll was taken. CARRIED unanimously.

MOTION by Supervisor Talmage seconded by Council. Campbell to adjourn this meeting. Roll was taken. CARRIED unanimously. (9:55 PM).

Respectfully submitted,

Catherine Gill, Town Clerk